

### **REMARKS**

Claims 1-50 are pending in the current application. Claims 1, 23, 44 and 50 are independent claims. By the present Amendment, independent claim 51 is canceled, and independent claim 1 is amended. Reconsideration and allowance of the application are respectfully requested.

#### **Allowable Subject Matter**

Initially, Applicant appreciates the Office's indication that claims 23-50 are allowed, and that independent claims 1 and 51 would be allowed if the 35 U.S.C. §101 and 35 U.S.C. §112, 1<sup>st</sup> Paragraph Written Description rejections were overcome. In view of the remarks below, Applicant respectfully submits that each of presently pending claims 1-51 are allowable.

#### **35 U.S.C. §101 Rejection**

Claims 1-22 stand rejected under 35 U.S.C. §101 for allegedly being directed to non-statutory subject matter.

As suggested by the Office on page 3 of the 12/29/2008 Office Action, Applicant has amended independent claim 1 to recite "retransmitting, from the repeater, information that is received at the repeater". Likewise, the "wherein" clause of independent claim 1 has been modified to conform with the new "retransmitting" step. Accordingly, Applicant respectfully submits that independent claim 1 is tied to another statutory of invention (e.g., a repeater, or an implicit transmitter present at a repeater).

Applicant respectfully requests that the Office withdraw this rejection.

**35 U.S.C. §112, 1<sup>st</sup> Paragraph - Written Description**

Claim 51 stands rejected under 35 U.S.C. §112, 1<sup>st</sup> Paragraph for allegedly failing to comply with the written description requirement. By the present Amendment, claim 51 has been canceled. As such, this rejection is now moot.

### CONCLUSION

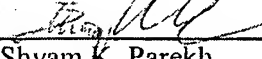
It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue, or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026. If a fee is required for an extension of time under 37 CFR 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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